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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,325	06/02/2000	Ulrich Bortfeld	02con360p	6473

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FARJAMI & FARJAMI LLP  
26522 LA ALAMEDA AVENUE, SUITE 360  
MISSION VIEJO, CA 92691

EXAMINER

CRAIG, DWIN M

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/586,325

Applicant(s)

BORTFELD ET AL.

Examiner

Dwin M Craig

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/1/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 36-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40, 42 and 43 is/are allowed.
- 6) ☒ Claim(s) 36-39 is/are rejected.
- 7) ☒ Claim(s) 41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

### DETAILED ACTION

1. **Claims 36-43** have been presented for reconsideration based on Applicants' amended claim language and arguments. Claims 1-36 have been cancelled.
2. **Claims 40, 42 and 43** are allowed.

### Response to Arguments

3. Applicants' arguments presented in the 6-1-2005 response have been fully considered.

The Examiner's response is as follows.

- 3.1 Applicants' newly submitted claims are allowed over the prior art, *please see the Examiner's reasons for allowance.*

- 3.2 Independent claims 36, 37, 38, 39 and 41 contain 35 USC § 112 errors.

- 3.3 It is noted by the Examiner that a phone message was left with the Applicants' attorney on August 23, 2005. Applicants' responded to the phone message on August 24, 2005 indicating that the Applicants' Attorney wanted to receive an Office Action if the claims were not going to be allowed. This Office Action is in response to the Attorneys request.

### Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 36-39** are rejected under 35 USC § 112-second paragraphs.
- 4.1 Claim 36 recites the limitation "said simulation environment" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2123

4.2 Claim 37 recites the limitation "said simulation environment" in line 11. There is insufficient antecedent basis for this limitation in the claim.

4.3 Claim 38 recites the limitation "said simulation environment" in line 11. There is insufficient antecedent basis for this limitation in the claim.

4.4 Claim 39 recites the limitation "said simulation environment" in line 13. There is insufficient antecedent basis for this limitation in the claim.

#### **Claim Objections**

5. Claim 41 is objected to because of the following informalities: the phrase "*said set of function calls*" is objected to for using language that is not specifically recited earlier in the independent claim. Appropriate correction is required.

#### **EXAMINER'S REASONS FOR ALLOWANCE**

6. The following is an examiner's statement of reasons for allowance:

6.1 In regards to independent claims 36- 41 the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art; "*dividing activities in said simulation environment into a first plurality of activities comprising an execution phase and a second plurality of activities comprising an update phase*" and "*computing said first plurality of activities comprising said execution phase at a clock edge*" in further combination with, "*computing said second plurality of activities comprising said update phase at said clock edge*".

6.2 As regards independent claim 42, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, "*dividing activities in said*

Art Unit: 2123

*cycle based simulation environment into a first plurality of activities comprising an execute phase and a second plurality of activities comprising an update phase” and “computing said first plurality of activities comprising said execute phase at a clock edge;” and in further combination with, “computing said second plurality of activities comprising said update phase at said clock edge”.*

6.3 As regards independent claim 43, the following limitations, in combination with other limitations are neither anticipated nor made obvious by the prior art, *“instructions for dividing simulation activities in said simulation environment into a first plurality of activities comprising an execution phase and a second plurality of activities comprising an update phase” and “instructions for computing said first plurality of activities comprising said execute phase at a clock edge” and in further combination with “instructions for computing said second plurality of activities comprising said update phase at said clock edge”.*

### Conclusion

7. Claims 36-39 are rejected. Claim 41 is objected to. Claims 40, 42 and 43 are allowed.

This Office Action is Non-Final. Claims 1-35 have been cancelled.

7.1 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. “A Unified Distributed Simulation System” by Jeff McAffer discloses a method of weighting models as they are executed in a simulation environment by defining risk and aggressiveness parameters for each model.

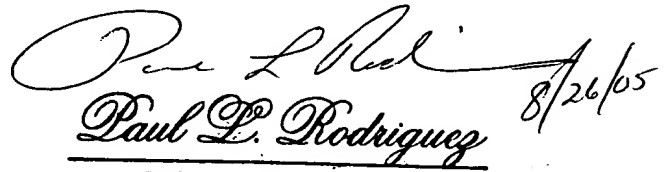
Art Unit: 2123

7.2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwain M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC

  
Paul L. Rodriguez 8/26/05  
Primary Examiner  
Art Unit 2125